

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
CARLOS ECHEVESTE-GAMA and)
ABEL LINARES,)
)
Defendant.)

8:05CR252

ORDER

CARLOS ECHEVESTE-GAMA and
ABEL LINARES,

This matter is before the court on defendants' unopposed MOTION TO EXTEND TIME TO FILE PRETRIAL MOTIONS [51] AND MOTION TO EXTEND DATE FOR FILING PRETRIAL MOTIONS [52]. For good cause shown, I find that the motions should be granted. The defendants will be given the requested approximate 30-day extension. Pretrial Motions shall be filed by October 31, 2005.

IT IS ORDERED:

1. The MOTION TO EXTEND TIME TO FILE PRETRIAL MOTIONS [51] FILED BY DEFENDANT ABEL LINARES AND MOTION TO EXTEND DATE FOR FILING PRETRIAL MOTIONS [52] filed by defendant Carlos Echeveste-Gama are granted. Pretrial motions shall be filed on or before **October 31, 2005**.

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between September 30, 2005 and October 31, 2005**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 5th day of October, 2005.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge